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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,726	09/18/2003	Foster D. Hinshaw	3336.1008-002	4680

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EXAMINER	
PHAM, KHANH B	

ART UNIT	PAPER NUMBER
2166	

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01/16/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/665,726	HINSHAW ET AL.	
	Examiner	Art Unit	
	Khanh B. Pham	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 October 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 21-35* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 21-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 19, 2007 has been entered.

Claim Objections

2. **Claims 3-4, 31-32** are objected to because of the following informalities:

- Claims 3,4 ,line 3, 2: "data **sting**" should be replaced with "data string".
- Claim 4 recites "A **processor** as in claim 2". There is insufficient antecedent basis for this limitation in the claim.
- Claim 31 recites "output tuple" at line 1. There is insufficient antecedent basis for this limitation in the claim.
- Claim 32 recites "filtering the filter field delineated data". There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction are required.

3. Claim 4 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 3. When two claims in an application are duplicates or else are so close in

content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-5, 21-35** are rejected under 35 U.S.C. 102(e) as being anticipated by Baker et al. (US 6,493,761 B1), hereinafter "**Baker**".

As per claim 1, Baker teaches a data engine (Col. 3 lines 3-9 and Fig. 1) located in a programmable pipeline processor for processing non-field delineated, streaming, application level database records received from a mass storage device (Fig. 2), the data engine comprising:

- "a data parser configured to parse non-field delineated database records received from the mass storage device into the field-delineated data" at Col. 3 lines 40-42;

- "filter logic configured to received field delineated database records from the database parser, and to filter the field delineated data by performing a field operation on the field delineated database records" at Col. 3 lines 43-59;
- "an output tuple generator, configured to assemble filtered field delineated database records into an output tuple" at Col. 4 lines 1-6 and Col. 6 lines 16-21.

As per claim 2, Baker teaches the data engine of claim 1 wherein "the filter logic further comprises a programmable memory that serves as a substitution table for field delineated database record" at Col. 15, table 12, and "wherein performing a field operation on the field delineated database records includes performing a field comparison on selected fields of the field delineated data" at Col. 11 lines 45-65.

As per claims 3-4, Baker teaches the data engine of claim 2, wherein "the substitute table includes a data string register" at Col. 15, table 12.

As per claim 5, Baker teaches the data engine of claim 2, wherein "the comparison is a character field comparison" at Col. 11 lines 45-65.

As per claim 21, Baker teaches a method for processing non-field delineated streaming application level database records received in a programmable pipeline processor from a mass storage device (Col. 6 lines 16-21 and Fig. 1) , the method comprising:

- "receiving a non-field delineated data stream in a field buffer as an input data stream" at Col. 38, lines 45-59;
- "separating the input data stream into field delineated data under instruction from an external central processing unit" at Col. 38 lines 45-64 and Figs. 10A;
- "sending field delineated data from the field buffer to at least one logic unit that performs at least one field operation on the field delineated data" at Col. 11 lines 45-65.

As per claim 22, Baker teaches the data engine of claim 1, wherein "the output tuple assemble by the output tuple generator contains only selected data fields of the field delineated data" at Col. 51 lines 20-42.

As per claim 23, Baker teaches the data engine of claim 1, wherein "the filter logic is further configured to filter the field delineated data by flagging a record for further processing" at Col. 11 lines 45-65.

As per claim 24, Baker teaches the data engine of claim 1, further comprising "header storage configured to received header and control data from the data parser and provide header data to the filter logic, wherein the filter logic is further configured to use header data to filter field delineated data" at Col. 7 lines 15-45.

As per claim 25, Baker teaches the data engine of claim 1, further comprising "an ID processing module configured to received header and control data, to identify the validity of field delineated data by processing an ID field in the header data of the field oriented data, and to provide the validity result to the tuple generator" at Col. 13, Tables 9-10.

As per claim 26, Baker teaches the data engine of claim 25, wherein "the ID field is a transaction ID" at Col. 13, Tables 9-10.

As per claim 27, Baker teaches the data engine of claim 21, wherein "filtering further comprises using a substitute table for field delineated data to perform a field comparison on selected fields of the field delineated data" at Col. 15, table 12.

As per claim 28, Baker teaches the method of claim 27, wherein "the substitute table comprises data-string register" at Col. 15, table 12.

As per claim 29, Baker teaches the method of claim 27, wherein "the substitute table includes a temporary register" at Col. 19 lines 10-25.

As per claim 30, Baker teaches the method of claim 27, wherein "the comparison is a character field comparison" at Col. 11 lines 45-55.

As per claim 31, Baker teaches the method of claim 21, wherein "output tuple contains only selected data fields of the field delineated data" at Col. 51 lines 20-40.

As per claim 32, Baker teaches the method of claim 21, wherein "filtering the filter field delineated data comprises: flagging a record for further processing" at Col. 11 lines 45-55.

As per claim 33, Baker teaches the method of claim 21 further comprising "using header storage data to filter field delineated data" at Col. 12.

As per claim 34, Baker teaches the method of claim 21 further comprising "identifying the validity of field delineated data by processing an ID field in the header data of the field oriented data, wherein assembling the filtered data based on the validity of the field delineated data" at Col. 20 lines 8-62.

As per claim 35, Baker teaches the method of claim 34, wherein the ID field is a transaction ID" at Col. 13, Tables 9-10.

Response to Arguments

6. Applicant's arguments with respect to claims 1-5 and 21-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the Claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(571) 272-3574** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-

4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khanh B. Pham
Primary Examiner
Art Unit 2166

January 11, 2008

Kpham